

1:19 MJ 9297

**Affidavit**

I, Casey T Carty, a Special Agent (SA) with the Federal Bureau of Investigation (FBI), Cleveland Division, being duly sworn, depose and state as follows:

1. I have been employed as a Special Agent of the FBI since April 2004, and am currently assigned to the FBI's Cleveland Division. While employed by the FBI, I have conducted investigations of numerous federal criminal offenses including white collar crimes, crimes against children, violent crimes and narcotics offenses. I have gained experience through training at the FBI Academy and everyday work related to these types of investigations.
2. I am an "investigative or law enforcement officer" of the United States within the meaning of Section 2510(7) of Title 18, United States Code, and empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in Section 2516 of Title 18, United States Code.
3. This affidavit is being submitted for the limited purpose of establishing probable cause that Aaron Gage, age 26, of Elyria, OH has violated Title 18 U.S.C. Section 922(g) [possession of a firearm by a prohibited person]. The statements contained in this affidavit are derived from information provided to me by members of the Elyria Police Department (EPD) as well as my own investigation of this matter. This affidavit does not include every fact known to me regarding this investigation, but will seek to summarize relevant information.

**Probable Cause**

4. On October 29, 2019, Elyria Police Department (EPD) patrol officers were dispatched to the area of 721 Lowell Street on a report of gunshots being exchanged between the occupants of two vehicles. Responding officers located (4) spent .40 caliber shell casings in the roadway on Lowell Street near Penfield Avenue. A witness reported to EPD that while driving westbound on Lowell Street, she observed two grey sedans, one a Hyundai, the other a Nissan, exit the parking lot of a gas station on Lowell Street and proceed westbound directly behind her. While traveling westbound, the witness heard two to four “pops” behind her, and looked in her rearview mirror. The witness observed the front seat passenger of the Hyundai (which was directly behind her) leaning out of the car’s window shooting a black handgun at the Nissan which was directly behind him. The Hyundai then sped up and passed the witness’s car, fleeing westbound away from the area at a high rate of speed. The witness observed the Nissan turn northbound on a side street with smoke issuing from beneath the hood. The witness clearly observed the driver and front seat passenger of the Hyundai, and provided a description of the two men to EPD.
5. Based on additional investigation and witness interviews, EPD Detectives developed suspects in the case. Detectives then presented a photo line-up to the witness described in Paragraph 4. The witness identified Aaron Gage as the driver of the Hyundai, and Desmond Ligon as the front seat passenger/shooter from the photo line-up.
6. On October 29, 2019 EPD sought and obtained arrest warrants charging Desmond Ligon with (among other charges), discharge of a firearm on or near a prohibited premises, in violation of Ohio Revised Code Section 2923.03(A)(2); and Aaron Gage

with complicity to discharge of a firearm on or near a prohibited premises, in violation of Ohio Revised Code Section 2923.03(A)(2). Both offenses are felonies of the third degree.

7. On October 31, 2019, Gage was located at the Motel 6 located at 32751 Lorain Road, North Ridgeville, Ohio. Gage was taken into custody on the aforementioned arrest warrant without incident.
8. Present in the room with Gage at the time of his arrest were Michael Reinhold, Katherine Squires, and three young children, aged approximately one, four and seven years. Detectives asked Squires for consent to search the motel room for a gun, and Squires provided her consent. Detectives located a Cobra model CB380 .380 caliber handgun bearing serial number CT199015 concealed beneath the mattress that the three young children had been sleeping on. The weapon was secured as evidence. Detectives checked the weapon through EPD Dispatch and determined it had been reported stolen to the Sheffield Lake Police Department in 2017.
9. Gage was transported back to EPD by Detectives and advised of his rights pursuant to *Miranda*. Gage indicated he understood his rights and agreed to speak with Detectives. Gage admitted involvement in the incident described above in Paragraph 4. In addition, Gage admitted to owning the pistol recovered from his motel room on October 30, 2019. He stated he bought the pistol from a garage sale approximately 1-2 years ago and kept it for protection. He identified the pistol from a photo shown to him by the interviewing Detectives.
10. On October 31, 2019 I contacted Eric Lichtenberg, Compliance Director for Bearman Industries (parent company for Cobra Enterprises) and learned the following

information regarding the Cobra model CB380 .380 caliber handgun bearing serial number CT199015: This weapon was manufactured in Gardena, California and shipped to Cobra Enterprises in Salt Lake City, Utah in October 2016. The pistol was subsequently shipped through a distributor to a retailer in Indiana. Based on this information, the pistol traveled in interstate commerce in order for it to have been recovered by law enforcement in North Ridgeville, Ohio on October 31, 2019.

11. Publicly available records posted online by the Lorain County Court of Common

Pleas show that Gage has been convicted of multiple felonies, to wit: in case number 16CR093008, Gage was convicted on or about August 8, 2016 of aggravated riot, a felony of the fourth degree; in case number 15CR092555, Gage was convicted on or about August 8, 2016 of trafficking in heroin and possession of heroin, both felonies of the third degree; in case number 12CR085267, Gage was convicted on or about January 11, 2013 of trafficking in heroin and trafficking in cocaine, both felonies of the fourth degree; in case number 11CR083155, Gage was convicted on or about January 11, 2013 of assault, a felony of the fourth degree. Gage is, therefore, prohibited from legally possessing a firearm.

**Conclusion**

12. Based on the preceding, I believe that probable cause exists to believe that Aaron Gage has violated Title 18 U.S.C. Section 922(g)(1) [possession of a firearm by a prohibited person].



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Casey T. Carty  
Special Agent  
Federal Bureau of Investigation

Sworn to me in person after submission by reliable electronic means. Pursuant to Fed. R. Crim. P. 4.1 and 41(d)(3) on this 1st day of November, 2019



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Honorable William H. Baughman, Jr.  
United States Magistrate Judge  
Northern District of Ohio